

**AGRICULTURAL & FORESTAL DISTRICT-10-86. Christenson's Corner 2010 Renewal.
Staff Report for the September 1, 2010 Planning Commission Meeting.**

This staff report is prepared by the James City County Planning Division to provide information to the AFD Advisory Committee, Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

AFD Advisory Committee	August 23, 2010	4:00 p.m.
Planning Commission:	September 1, 2010	7:00 p.m.
Board of Supervisors:	September 28, 2010	7:00 pm (tentative)

Building F Board Room; County Government Complex

SUMMARY FACTS

Owners	Parcel Number	Acres
C.M. Chandler	1540100011	151.25
C.M. Chandler	1630100001	8.01
Stieffen Co, LLC & Stieffen, B. P.	1640100003	402.89
TOTAL.....		562.2

Zoning: A-1, General Agriculture

Comprehensive Plan: Rural Lands and Conservation Area

Primary Service Area: Outside

STAFF RECOMMENDATION

This AFD is consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. Staff recommends renewing the Christenson's Corner Agricultural and Forestal District for a period of four years, subject to the enclosed conditions.

At its August 23, 2010 meeting, the AFD Advisory Committee voted 9-0 to recommend approval of this application.

Staff Contact: Kathryn Sipes, Senior Planner Phone: 253-6685

SUMMARY

As required by State Code, the County must review all established Agricultural and Forestal Districts (AFDs) prior to their expiration. During this review, districts must be continued, modified, or terminated. This report will review AFD-10-86, Christenson's Corner, which is scheduled to expire October 25, 2010.

DISTRICT HISTORY

The District was approved on December 1, 1986 for a term of four years, and the Board of Supervisors approved four-year renewals in 1990, 1994, 1998 and 2002. The District includes all the land on the above properties with the exception of all land within 25 feet of arterial road rights-of-way. That property has been excluded from the District to allow for possible road improvements.

The Christenson's Corner AFD consists of approximately 562.2 acres located south of Riverview Road between Newman Road and Riverview Plantation.

ANALYSIS

The bulk of the District contains woodland. The remainder of the property in the District is in open land and swamp or low lying land. All of the land within this District is zoned A-1, General Agricultural, and a major portion of the surrounding property is zoned A-1 and is forested. Most of the District is designated Rural Lands by the Comprehensive Plan. A very small portion of the District is designated Conservation Area by the Comprehensive Plan.

The entire District is located outside of the Primary Service Area (PSA) and the area remains relatively rural in nature.

WITHDRAWALS

No property owner has requested land be removed from the District during this renewal period.

ADDITIONS

No property owner has requested land be added to the District during this renewal period.

CHANGE IN CONDITIONS

Staff is recommending a revision to Condition #2 to correct language that references the Board of Supervisor's policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as well as adding a reference to the Board of Supervisor's policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Inside the Primary Service Area, adopted September 24, 1996. Staff is also recommending language that references future amendments to those Board policies. The proposed condition is as follows, with proposed corrections and additions underlined:

"No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended."

STAFF RECOMMENDATION:

This AFD is consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. Staff recommends renewing the Christenson's Corner Agricultural and Forestal District for a period of four years, subject to the following conditions:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a.) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b.) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended.
3. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

Kathryn Sipes, Senior Planner

ATTACHMENTS:

1. Location Map
2. Unapproved minutes from the AFD Advisory Committee meeting
3. Existing ordinance and conditions, dated July 25, 2006